

Petitioner: Elizabeth Hernandez (pro per)

Petition for Appointment of Guardian of the Person

		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>ELIZABETH HERNANDEZ, maternal aunt, is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/6/16. As of 10/27/16 the following issues remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on: <ol style="list-style-type: none"> a. Josephine Torres (mother) b. Albert Torres (minor) c. Unknown father 3. Need proof of service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on: <ol style="list-style-type: none"> a. Unknown paternal grandparents. 	
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			<p>Reviewed by: KT</p> <p>Reviewed on: 10/27/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1- Torres</p>	

Attorney Heather H. Kruthers (for Petitioner Public Guardian)

Fourth and Final Account and Report of Conservator; Petition for Allowance of Compensation to Conservator and Attorney; and Distribution

DOD: 4/16/2016	PUBLIC GUARDIAN , Conservator of the Person and Estate, is Petitioner. <p align="center"><i>~Please see Petition for details~</i></p>	NEEDS/PROBLEMS/COMMENTS:
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		Reviewed by: LEG
		Reviewed on: 10/26/16
		Updates:
		Recommendation:
		File 2- Dunlop

Petition for Removal of Administrator

DOD: 10/29/05		DORIS BROSI , Daughter, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Two Requests for Special Notice were filed in this matter. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on Attorney Jeffrey Jaech of Baker Manock & Jensen, PC (for Louis Brosi, Jr., son), and Lang Richert & Patch, for Thomas Brosi (now deceased, unclear relationship) per Requests for Special Notice filed 10/9/07 and 2/7/08. Probate Code §1252. 2. Notice of Hearing was sent to Attorney Heather Kruthers, but was not sent directly to the Public Administrator. The Court may require proper notice to the PA. 3. The Court may also require notice to Attorney William Keeler and/or Dowling Aaron Incorporated, former attorneys for Cindy Henry. Attorney Keeler filed a Notice of Lien in this estate on 11/6/09. 4. Need order. Local Rule 7.1.1.F.
		Petitioner states Stella Brosi died 10/29/05, a resident of Fresno County. On 1/5/07, a Petition for Probate of Will and Letters Testamentary was filed by the decedent's son Louis Brosi, Jr. On 3/19/07, beneficiary Cindy Snow (Henry) filed an objection. After a court trial, but Court found it was not in the best interests of the estate to have Louis Brosi, Jr., serve as executor; therefore, the Court appointed the Public Administrator to serve as the personal representative of the estate. Stella Brosi's husband Louis Brosi, Sr., predeceased her in 1979. His estate was probated and administered in 0246604, through which the Louis Brosi, Sr., Testamentary Trust was established. Prior to their deaths, Louis and Stella owned approx. 18 acres at Alluvial and Chestnut Avenues. Following their deaths, Stella's estate and Louis' trust now each own an undivided one-half interest in the property. Similar to Louis' will, Stella's will also calls for the establishment of a testamentary trust and distribution of all assets to the trust. The named beneficiaries are their three children, Louis Jr., Doris, and Barbara Snow. Barbara predeceased distribution of the estate leaving two issue, Cindy Snow (Henry) and Robert Snow.	
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<u>SEE ADDITIONAL PAGES</u>			
Reviewed by: skc Reviewed on: 10/26/16 Updates: Recommendation: File 3A- Brosi			

Page 2 – Petitioner states on 11/27/07, Cindy Henry filed a Petition for Relief from Breach of Trust; to Compel Information and Account in the Louis Brosi, Sr., Trust 07CEPR01213, which sought to unwind certain transactions between Louis Brosi, Jr., as trustee of the Louis Brosi, Sr., Trust, and his sons, which involved the property.

The litigation carried on for years with a settlement in October 2014 involving the property and both the Louis Brosi, Sr., Trust and the Stella Brosi Estate. As part of the settlement, Cindy and Robert assigned their interests in the property and both the Louis Brosi, Sr., Trust and the Stella Brosi Estate to Louis C. Brosi, III. Consequently, neither have any further interest in the property or the Stella Brosi Estate.

Because half of the property owned by the Stella Brosi Estate was involved in the trust litigation, administration, the estate was essentially put on hold and no actions have been taken by the Public Administrator's office other than an appraisal of the property. *[Examiner's note: No I&A has been filed in this estate.]* Now that the trust litigation has been resolved, the Stella Brosi Estate is now in a position to complete the remaining administration tasks and close the estate.

On or about 9/29/16, Attorney Franco contacted Attorney Heather Kruthers to inform her of the trust settlement and the need to complete administration of the Stella Brosi Estate. Ms. Kruthers accepted Mr. Franco's offer to have Doris Brosi replace the PA as Administrator to close the estate. Doris is the named successor trustee of Stella's testamentary trust and is also the successor and current acting trustee of the Louis Brosi, Sr., Trust. As the daughter, she has higher priority than the PA, and the necessity that once existed for the PA to serve no longer exists.

Petitioner prays for an order:

- 1. Removing the Fresno County Public Administrator as Administrator of the Stella Brosi Estate; and**
- 2. For such other and further relief as the Court deems just and proper.**

Petition for Letter of Administration; Authorization to Administer under the IAEA

DOD: 10/29/05		<p>DORIS BROSI, Daughter, is Petitioner and requests appointment as Successor Administrator with Full IAEA without bond.</p> <p>Full IAEA – ok (Publication occurred previously in connection with the 2007 petition of Louis Brosi, Jr., for appointment as Executor)</p> <p>Will dated 10/11/78 was admitted to probate on 8/31/07.</p> <p>Residence: Fresno Publication: N/A</p> <p>Estimated value of estate: Annual income from real property: \$1,369,462.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>SEE ADDITIONAL PAGES</u></p>	
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	Objections			
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	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 10/26/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3B- Brosi</p>	

5. Two Requests for Special Notice were filed 10/9/07 and 2/7/08 in this matter. Therefore, need proof of service of Notice of Petition to Administer Estate with a copy of the petition at least 15 days prior to the hearing on Attorney Jeffrey Jaech of Baker Manock & Jensen, PC (attorney for Louis Brosi, Jr.), and Lang Richert & Patch, attorneys for Thomas Brosi (now deceased) pursuant to Requests for Special Notice filed 10/9/07 and 2/7/08. Probate Code §1252.
6. Notice of Petition to Administer Estate was sent to Attorney Heather Kruthers, but was not sent directly to the Public Administrator, who is the current Administrator of the Estate. The Court may require proper notice to the PA.
7. The Court may also require notice be served on Attorney William Keeler and/or Dowling Aaron Incorporated, former attorneys for Cindy Henry, who filed a Notice of Lien in this estate on 11/6/09.
8. Need DE-142 Waiver of Bond from all beneficiaries, or the Court may require bond:
 - Louis Brosi, Jr. (Son)
 - Louis Brosi, III (Grandson)
 - Cindy Henry (Granddaughter)
 - Robert Snow (Grandson)

Note: Although Petitioner alleges in her petition at Page A that Cindy and Robert assigned their interest in this estate to Louis Brosi, III, within the trust litigation settlement, no assignments have been filed within this Estate; therefore, they remain heirs entitled to bond and distribution.

Note: Although Petitioner alleges in this petition that the estate consists of income only in the amount of \$1,369,462.00, her petition at Page A alleges that the estate owns a one-half interest in the real property. Therefore, need estimated value of the decedent's interest in the real property.

Note: The decedent's will was admitted to probate on 8/31/07; therefore, it appears that if granted, the Order and Letters should reflect admission of the will on that date and appointment of Petitioner as Successor Administrator With Will Annexed. Examiner has interlineated the proposed order and Letters accordingly.

Note: If granted, the Court will set status hearings as follows:

- Thursday, April 6, 2017 for filing the Inventory and Appraisal
- Thursday, January 4, 2018 for filing the first or final account.

Final Accounting, Petition for Allowance of Compensation for Administrator; Statutory and extraordinary fees for Administrator's Attorney; Reimbursement to Administrator for out-of-pocket Expenses and Petition for Final Distribution

DOD: 2/7/2007		<p>LORENA GARCIA, daughter and Administrator with Limited IAEA without bond, is Petitioner.</p> <p>Account period: Not stated</p> <p>Accounting: No accounting is provided</p> <p>POH: \$48,969.53 (cash)</p> <p>Administrator (Statutory): \$4,030.00 (based on the civil settlement amount of \$101,000.00)</p> <p>Attorney (Statutory): \$4,030.00 (based on the civil settlement amount of \$101,000.00)</p> <p>Attorney (Extraordinary): \$6,737.50 (for services in connection with the spousal property petition, the 850 petition, trial, settlement totaling 38.5 hours @ \$175/hr, itemized at Exh. G)</p> <p>Petitioner states she was appointed Administrator (with bond of \$390,000) on 8/28/07. On 6/9/08, Omega Garcia filed a Spousal Property Petition. On 7/14/08, Petitioner requested to change powers from full authority to limited authority to eliminate the need for bond. Letters issued 7/21/08.</p> <p>On 9/15/08, a Petition to Establish Estate's Claim of Ownership to Property and for Order Directing its Transfer to the Estate was filed. Trial was set for 1/27/09 and continued to 5/19/09.</p> <p>On 5/19/09, counsel represented to the court that pursuant to settlement agreement, Omega is to receive 50% of the estate and the remainder would be placed in the Estate of Johnny Garcia. In addition, an agreement for representation for the contingency fee for McCormick Barstow was to be signed by Administrator.</p> <p align="center"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO</u> <u>1/4/17</u> Per attorney request</p> <p><u>SEE ADDITIONAL PAGES</u></p>	
	Aff.Sub.Wit.			
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	Not.Cred.			x
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	FTB Notice	x		

Page 2

On 11/9/10, Attorney Littlewood confirmed to the Court that the civil action re the real property had been set for trial. On 7/26/11, Mr. Littlewood advised the Court that the Estate was awarded \$184,798.00 in the civil action; however, a motion for a new trial was being filed.

Petitioner provides additional history and states on 4/16/16, the Court granted authorization for Administrator to sign a settlement agreement for \$101,000.00 to be paid to the estate by Respondent Sherry Roberts (in 04CECG03607).

On 5/6/16, the attorneys for the civil matter supplied Attorney LeVan with a letter breaking down the settlement reached, the actual costs expended by McCormick Barstow, and the 40% contingency fee (Exh. C). McCormick Barstow paid themselves first, off the top of the entire settlement amount, without Court approval. McCormick Barstow also represented Omega Garcia, who is entitled to one-half of the amount received by the estate. McCormick may get paid twice for Omega's share and for taking their fee off the top for the entire \$101,000.00. McCormick Barstow also charged the estate charges that were solely for Omega Garcia, their client at the time, before the contingency agreement was signed for the retrial by Lorena Garcia (Exh. D). We request ...

[Examiner's Note: language cuts off without conclusion at Paragraph 42 on Page 4. The remainder of Paragraph 42 and the entirety of Paragraph 43 appear to be missing.]

Included in these costs charged to the estate are copy center services, photocopy expense, computer research fees, travel and runner fees, totaling \$4,094.37, which are considered by the court to be costs of doing business and not reimbursable pursuant to Local Rule 7.17. Since McCormick Barstow associated in as co-counsel for the estate, Petitioner submits that they need to get court approval before they pay themselves for fees and reimburse themselves for costs. This was mentioned to Attorney Wolfe, but she insisted they should be paid before anyone else.

The settlement agreement between Omega and Lorena means the estate only receives \$24,348.27 + interest, and Omega receives \$24,348.26 + interest.

As of 7/31/16, the amount in the Estate of Johnny Garcia is \$48,969.53, all cash.

Statutory commissions and fees for the Administrator and the Attorney based on the total amount the estate received which is \$101,000 total \$4,030.00 each.

Petitioner also requests reimbursement of \$4,000.00 for storage of the decedent's truck and the filing fee of \$435.00 (Exh. F).

Attorney LeVan also requests \$6,737.50 for services in connection with the spousal property petition, the 850 petition, trial, settlement totaling 38.5 hours @ \$175/hr, itemized at Exh. G.

SEE ADDITIONAL PAGES

Petitioner prays:

1. That the Court order McCormick Barstow to reimburse the Estate of Johnny Garcia in the amount of \$865.60 for charges before they represented the estate;
2. That the Court order McCormick Barstow to reimburse the Estate of Johnny Garcia in the amount of \$4,094.37 for charges that are considered costs of doing business;
3. That the Court authorize the Administrator to reimburse herself \$4,435.00 for out of pocket expenses;
4. That the Court authorize the Administrator to pay herself statutory commission in the amount of \$4,030.00;
5. That the Court authorize the Administrator to pay Nancy J. LeVan statutory commission in the amount of \$4,030.00;
6. That the Court authorize the Administrator to pay Nancy J. LeVan extraordinary fees in the amount of \$6,373.50;
7. That the Court authorize the Administrator to distribute the remaining assets as follows:
 - Omega Garcia: \$24,348.26 plus interest, if McCormick Barstow reimburses the estate
 - Lorena Garcia: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate
 - Johnny Garcia, Jr.: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate
 - Rosie Martinez: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate
 - Albert Garcia: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate
 - Jerry Garcia: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate
 - Edna Escobar: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate
 - Mary Sierra: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate
 - Elizabeth Ybarra: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate
 - Omega Ochoa DeGarcia: \$608.86, or \$1,159.97 if McCormick Barstow reimburses the estate

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. Need amended petition. This petition does not contain any accounting as required by Probate Code §10951 pursuant to §1060 et seq., and accounting has not been waived.
2. The petition does not address notice to creditors or to the various agencies required under Probate Code §9202.
3. The petition does not address the Final Inventory and Appraisal filed 12/7/09 or the assets contained therein valued at \$5,125.00. Pursuant to a Status Report filed 8/27/13, all personal property items were in the possession of Omega Garcia and were to eventually be part of her one-half distribution; however, this petition does not request distribution of these assets. (I&A assets include household items, a vehicle, a trailer, and a diesel fuel stand and tank.)
4. Petitioner did not use the Mandatory Judicial Council Notice of Hearing Form.
5. Although the civil litigation settlement amount was \$101,000.00, the ultimate disbursement to the estate after payment of attorney fees and costs pursuant to the contingency fee agreement was only \$47,232.72. Therefore, it may be inappropriate for statutory compensation to be calculated based on the full \$101,000.00. Need complete accounting for appropriate calculation of statutory compensation to Administrator and Attorney.
6. Attorney fees and costs for civil litigation outside the probate estate are not necessarily subject to the protective restrictions set forth in local rules re probate estates; therefore, the cost reimbursement requested from McCormick Barstow (\$4,094.37) may be inappropriate.
7. Petitioner requests the Court order reimbursement from McCormick Barstow of \$865.60 which may be an inappropriate charge to the estate; however, it does not appear McCormick Barstow were served with this petition, and it is unclear whether Petitioner made any dispute of the \$865.60 charge that she does not believe is appropriate. Need clarification.
8. Petitioner requests reimbursement to Petitioner of \$4,000.00 for storage of the decedent's vehicle, a 1997 Ford F-150 pickup. Need clarification re the following details:
 - Is this the same vehicle identified in Item #12 on Attachment 2 of the I&A filed 12/7/09 identified as a 1998 Ford F150?
 - Pursuant to a status report filed 8/27/13, all personal property listed on the inventory was in Omega Garcia's possession as it was intended that these assets would eventually constitute part of her 50% of the estate. Need clarification.
 - The Invoice provided at Exhibit F indicates storage for 2,357 days for a charge of \$5,892.50. Need clarification.
 - The Invoice references an "attached letter" but no letter is attached. Need clarification.
 - The vehicle was valued at \$2,500. How was paying \$5,892.50 (or \$4,000?) for storage in the best interest of the estate?
 - Again, Petitioner does not request to distribute this vehicle, or any of the other inventoried items. Need clarification.
9. Petitioner appears to include Omega Garcia twice in the proposed distribution. Need clarification.

Attorney Lisa Horton (for Petitioner Jennifer Sanchez, maternal aunt)
 Attorney Glenn R. Wilson (for Tony Navarro, father)

Second and Final Account and Report of Guardian and Petition for its Settlement;
 For Allowance of Attorney Fees and Costs Advanced; For Withdrawal of Funds from
 Blocked Account Pursuant to Order after Hearing and Stipulation; and for
 Termination of Guardianship Estate

			JENNIFER SANCHEZ , maternal aunt and Guardian of the Estate with funds placed into a blocked account, is Petitioner. <p align="center">~Please see Petition for details~</p>	NEEDS/PROBLEMS/COMMENTS: <u>Note Re Related Family Law Case 08CEFL00595:</u> Court records show that Attorney Glenn Wilson requested a continuance of that matter on behalf of all parties, and was to notify Attorney Horton of the continued Court date, set for an Order to Show Cause on 11/14/2016 in Dept. 203.
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	FTB Notice			
			Reviewed by: LEG	
			Reviewed on: 10/27/16	
			Updates:	
			Recommendation:	
			File 5- Navarro	

Attorney
Trustee

Burnside, Leigh W. (for Beneficiary Joshua Davis)
Neilson, Bruce A. (Trustee, in pro per)

Probate Status Hearing

Thomas J. Davis DOD: 6-5-00	JOSHUA DAVIS, Beneficiary, filed a Petition for Order Compelling Trustee to Account and Report on 4/1/14.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Page 8 is a related matter.
Wealthea Davis DOD: 3-25-98		
	BRUCE NEILSON, Trustee, filed an Account and Report of Trustee and Petition for Its Settlement on 3/26/15.	
	On 10/7/15, the matter was set for trial on 1/19/16. Pursuant to various stipulations, the trial date was continued to 8/25/16; however, pursuant to Stipulation filed 8/22/16 and Order thereon filed 8/23/16, the Court set the Court set this status hearing.	
Aff.Sub.Wit.		
Verified	The Stipulation filed 8/25/16 states the trustee has engaged an accountant to prepare a California Probate Code-compliant accounting of the Davis Family 1989 Life Insurance Trust (sic) and the accountant anticipates needing until 9/29/16 to complete the accounting. Rather than have multiple trials, the parties agree the most prudent and efficient course of action would be to complete the new accounting, participate in mediation, and if necessary, proceed to trial later this calendar year. The parties are optimistic that a resolution can be reached after the new accounting is presented. However, if the parties cannot resolve the matter, they wish to proceed with trial but will need additional time to prepare. Accordingly, the parties stipulate that any new trial date set by the court will be used to calculate all discovery deadlines.	
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Citation		
FTB Notice		

Reviewed by: skc

Reviewed on: 10/27/16

Updates:

Recommendation:

File 6- Davis Trust

Attorney
Attorney

Criego, Franz (for Executor Abigail Serrato)

Simonian, Jeffrey (for Beneficiaries Javier Serrato, David Serrato, and Genaro Serrato)

[Corrected] Amended First and Final Report of Executor; Petition for Final Distribution Without an Accounting and for Allowance of Compensation for Ordinary Services

DOD: 6/15/14			ABIGAIL SERRATO , Executor with Full IAEA without bond, is Petitioner. Accounting is waived (<i>Note: See Declaration of Genaro Serrato and David Serrato filed 10/7/16 re waivers.</i>) I&A: \$429,965.00 \$429,866.00 (<i>Corr. Fin. I&A filed 8/12/16 contains miscalculation of cash – Examiner has inserted actual amount.</i>) POH: \$429,965.00 \$429,866.00 (<i>consisting of \$119,866.00 cash, personal property valued at \$10,000.00, and two parcels of real property in Madera County valued at \$300,000.00</i>) Executor (Statutory): \$11,597.36 (recalculated per Dec filed 10/20/16) Attorney (Statutory): \$11,597.36 (recalculated per Dec filed 10/20/16) Costs: \$1,802.00 (per Dec filed 10/20/16) Distribution pursuant to decedent's will and agreement among heirs: <i>Note: Cash distributions have been recalculated by Examiner based on the actual cash on hand and the costs set forth in Dec filed 10/20/16.</i> Genaro Serrato: \$\$\$23,742.07 \$23,717.32 plus 25% of any accrued interest, plus an undivided interest in the Madera real property David Serrato: \$\$\$23,742.07 \$23,717.32 plus 25% of any accrued interest, plus an undivided interest in the Madera real property Abigail Serrato: \$\$\$23,742.07 \$23,717.32 plus 25% of any accrued interest, plus an undivided interest in the Madera real property Javier Serrato: \$\$\$23,742.07 \$23,717.32 plus 25% of any accrued interest, plus an undivided interest in the Madera real property	NEEDS/PROBLEMS/COMMENTS: Minute Order 10/20/16: Mr. Criego filed additional documents this morning that have not yet been reviewed; therefore the matter is continued. Note: Atty Jeffrey Simonian represents beneficiaries Javier, David, and Genaro Serrato. Min. Order 9/22/16 indicates waiver of notice and consent to the petition. However, on 10/7/16, David and Genaro filed a Declaration in pro per that objects to fees charged by Executor Abigail Serrato and her attorney, Franz Criego. See Page 2 for details. <u>Examiner's Note: At this point, all calculation issues are cured and It appears that IF the heirs are agreeable to distribution of the real and personal property in undivided interests per Attorney Simonian's representation on 9/22/16, then this petition may be appropriate to go forward; however, it is unclear if Court may consider the Declaration filed 10/7/16 to be an objection.</u>
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			Reviewed by: skc	
			Reviewed on: 10/28/16	
			Updates:	
			Recommendation:	
			File 7- Serrato	

Accounting is waived
(Note: See Declaration of Genaro Serrato and David Serrato filed 10/7/16 re waivers.)

I&A: \$429,965.00 \$429,866.00

(Corr. Fin. I&A filed 8/12/16 contains miscalculation of cash – Examiner has inserted actual amount.)

POH: \$429,965.00 \$429,866.00

(consisting of \$119,866.00 cash, personal property valued at \$10,000.00, and two parcels of real property in Madera County valued at \$300,000.00)

Executor (Statutory): \$11,597.36
(recalculated per Dec filed 10/20/16)

Attorney (Statutory): \$11,597.36
(recalculated per Dec filed 10/20/16)

Costs: \$1,802.00 (per Dec filed 10/20/16)

Distribution pursuant to decedent's will and agreement among heirs:

Note: Cash distributions have been recalculated by Examiner based on the actual cash on hand and the costs set forth in Dec filed 10/20/16.

Genaro Serrato: \$23,742.07 \$23,717.32 plus 25% of any accrued interest, plus an undivided interest in the Madera real property

David Serrato: \$23,742.07 \$23,717.32 plus 25% of any accrued interest, plus an undivided interest in the Madera real property

Abigail Serrato: \$23,742.07 \$23,717.32 plus 25% of any accrued interest, plus an undivided interest in the Madera real property

Javier Serrato: \$23,742.07 \$23,717.32 plus 25% of any accrued interest, plus an undivided interest in the Madera real property

Minute Order 10/20/16:

Mr. Criego filed additional documents this morning that have not yet been reviewed; therefore the matter is continued.

Note: Atty Jeffrey Simonian represents beneficiaries Javier, David, and Genaro Serrato. Min. Order 9/22/16 indicates waiver of notice and consent to the petition. However, on 10/7/16, David and Genaro filed a Declaration in pro per that objects to fees charged by Executor Abigail Serrato and her attorney, Franz Criego. See Page 2 for details.

Examiner's Note: At this point, all calculation issues are cured and it appears that IF the heirs are agreeable to distribution of the real and personal property in undivided interests per Attorney Simonian's representation on 9/22/16, then this petition may be appropriate to go forward; however, it is unclear if Court may consider the Declaration filed 10/7/16 to be an objection.

Reviewed by: skc

Reviewed on: 10/28/16

Updates:

Recommendation:

File 7- Serrato

Page 2 – Declaration filed 10/7/16 by David Serrato and Genaro Serrato states they would like to ask Your Honor if there is any way the fee for Executor and her attorney can be reduced. They have caused so much emotional stress and heartache for prolonging the probate of the estate. Abigail kept the deeds for six months so they had to hire a lawyer to get them. They have sent her several texts, phone calls with no responses or updates, have called Franz Criego and went to his office several times with no resolution to get the probate completed. Also David's deed hasn't gotten corrected when their lawyer gave Abby and Franz a quick deed to correct it hasn't been filed or corrected yet. Javier feels if he also joins in this request that Abby will throw him out of his mom's house. Also, they asked for the bank statements and neither Abby nor Franz would provide until they signed the waiver of accounting. Declarants would like Your Honor to take this emotional stress of having to come to court just to have it continued over and over again into consideration of reducing their fees.

Note: The proposed order has been interlineated by Examiner to reflect distribution pursuant to the above figures, and to include the misc. personal property valued at \$10,000, which appears to have been omitted from the proposed distribution.

Probate Status Hearing

Thomas J. Davis DOD: 6-5-00	JOSHUA DAVIS , Beneficiary, filed a Petition for Order Compelling Trustee to Account and Report on 4/1/14.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Page 6 is a related matter.
Wealthea Davis DOD: 3-25-98		
	BRUCE NEILSON , Trustee, filed an Account and Report of Trustee and Petition for Its Settlement on 3/26/15, and an Amended Account on 10/5/15.	
	On 10/7/15, the matter was set for trial on 1/19/16. Pursuant to various stipulations, the trial date was continued to 8/25/16; however, pursuant to Stipulation filed 8/22/16 and Order thereon filed 8/23/16, the Court set the Court set this status hearing.	
Aff.Sub.Wit.		
Verified	The Stipulation filed 8/25/16 states the trustee has engaged an accountant to prepare a California Probate Code-compliant accounting of the Davis Family 1989 Life Insurance Trust and the accountant anticipates needing until 9/29/16 to complete the accounting. Rather than have multiple trials, the parties agree the most prudent and efficient course of action would be to complete the new accounting, participate in mediation, and if necessary, proceed to trial later this calendar year. The parties are optimistic that a resolution can be reached after the new accounting is presented. However, if the parties cannot resolve the matter, they wish to proceed with trial but will need additional time to prepare. Accordingly, the parties stipulate that any new trial date set by the court will be used to calculate all discovery deadlines.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: skc
Reviewed on: 10/27/16
Updates:
Recommendation:
File 8- Davis Life Ins Trst

Attorney: Hugh W Willoughby (for Donna Hendrick – Executor)

Petition for Final Distribution on Waiver of Account and for Allowance of Compensation for Ordinary Services

DOD: 12/9/2015		DONNA HENDRICK , Executor with full IAEA without bond is petitioner Accounting is waived I&A - \$95,000.00 POH - \$95,000.00 <i>(no cash)</i> Executor - \$3,800.00 <i>(statutory)</i> Attorney - \$3,800.00 <i>(statutory)</i> Costs - \$1,395.00 <i>(for filing, publication and probate referee fees)</i> Distribution, pursuant to decedent's will, is to: Dean Clark – real property located at 2745 E. Holland, Fresno CA 93726)	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/o
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
Letters 3/28/2016				
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
			Reviewed by: SEF	
			Reviewed on: 10/26/2016	
			Updates:	
			Recommendation: SUBMITTED	
			File 9- Clark	

Attorney: Michael P Dowling (for Brent Pius, Administrator)

Waiver of First and Final Account and Report of Administrator and Petition for Settlement; for Allowance of Compensation to Attorney for Ordinary Services; and for Final Distribution

DOD: 12/24/2015		BRENT PIUS , administrator with full IAEA without bond, is petitioner	NEEDS/PROBLEMS/COMMENTS: 1. Page 4, ¶15 and 16 of the petition state that the 2005 GMC truck, sold for \$500.00 and is identified as item 4, to attachment 2 of the Partial I&A. However, item 4 of the Partial I&A lists a 1985 Toyota. This appears to be a clerical error as the Toyota Truck is no longer listed on the property on hand schedule. Need clarification. 2. Petitioner requests that three creditor's claims filed by himself and family affiliations, be allowed by the Court. CA Rules of Court 7.401 requires each creditor's claim received by the court to be allowed or rejected and a copy of the allowance or rejection to be filed with the court. Per petitioner's request, need <i>Allowance or Rejection of the Creditor's Claim</i> (Judicial Council Mandatory Use Form DE-174) submitted for the Court's approval. 3. Per item 2, above, it appears the estate is not in a condition to be closed. If the creditor's claims are allowed by the Court as requested, they must be satisfied prior to distribution of the estate.
		Accounting is waived	
		I&A - \$312,950.00	
Cont. from		POH - \$317,408.63 (\$5,258.63 is cash)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

The estate consisted of noncash assets. Petitioner paid from his own personal funds for the benefit of the estate during the course of administration, the following:

\$15,156.16 (DMV fees, loan payoffs, mortgage payments, insurance, etc)

\$1,697.50 (filing, publication and probate referee fees)

Petitioner requests the Court acknowledge his payments and costs advanced.

Petitioner and petitioner's spouse (father and mother of decedent) filed two creditors' claims for amounts loaned to decedent in 2015 and owed to them prior to their son's death. An additional claim was filed for decedent's funeral expenses. Administrator seeks court approval of the three creditor claims. Both claimants are heirs of the estate. Although there is insufficient cash in the estate to pay the above-mentioned claims, petitioner seeks to have them approved by the Court. No other claims have been filed or presented against the estate. The estate is solvent.

Please see additional page.

Reviewed by: SEF

Reviewed on: 10/26/2016

Updates:

Recommendation:

File 10- Pius

Supplemental information regarding pending creditor's claims:

\$83,664.19 Pius Construction, Inc. and Brent and Diana Pius (*loan by corporation to decedent for home repairs and improvements; home purchased needed extensive work*)**

\$20,706.22 Diana Pius (*money loaned to decedent during home purchase - appliances, HOA dues, drywall work, fence repair, pool resurfacing, etc.*)

\$7,652.30 Diana Pius and Brent Pius (*funeral expenses*)

**Declaration filed 7/28/2016 in support of creditor claim by Pius Construction states Diana Pius and Brent Pius are President and Secretary, respectively, of Pius Construction, Inc. They are the parents of decedent, who purchased a home in Prather, CA in December 2014. Declarants loaned decedent funds to make the house habitable. They did not formalize the loan with a promissory note and/or a deed of trust on the real property so as not to interfere with decedent's first deed of trust with Wells Fargo.

Declarants did have an agreement whereby decedent would repay amounts when he could afford to do so. Declarants kept a running tally of all amounts borrowed and payments made. Because declarants own a construction company, they paid workers from the corporation to occasionally work on decedent's house, which decedent agreed to repay. Although declarants are the heirs at law in this estate and will, under the laws of intestate succession, inherit decedent's home, they felt it was important to memorialize the loan by filing a creditor's claim against the estate.

All costs and labor expended by declarants, as shareholders in Pius Construction, Inc., in and for repairing, updating and maintaining decedent's home was in the form of a loan to decedent.

Distribution, pursuant to intestate succession of property on hand consisting of real property, furniture and furnishings and personal effects, autos, cash and a firearm, are to:

Diana Pius (50%)

Brent Pius (50%)

Petitioner

Ragsdale, Alyssabeth Rose (Pro Per – Sister – Petitioner)

Objector

Ibarra, Rosenda (Pro Per – Mother – Objector)

Petition for Appointment of Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/ COMMENTS:
Cont. from 072116, 082516, 092216			<u>Note:</u> See Minute Order of 8/25/16 re visitation for Rosenda Ibarra (mother).
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
✓	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			1. Petitioner filed Declarations of Due Diligence on 9/21/16 and 10/13/16 re Richard Ibarra, Father. If diligence is not found, need notice, pursuant to Probate Code §1511.
			Reviewed by: skc
			Reviewed on: 10/25/16
			Updates:
			Recommendation:
			File 11- Ibarra

12 Elvey Perkins (Det. Succ)**Case No. 16CEPR00798****Attorney: Melvin K. Rube (for Petitioner Lois Harris Perkins)****Attorney: Thomas A. Markeson (for Objector Andre Perkins)****Petition to Determine Succession to Real Property**

DOD: 8/3/15		LOIS HARRIS PERKINS , surviving spouse, is petitioner. 40 Days since DOD. No other proceedings. Will dated: 3/23/05 devises entire estate to spouse, Lois Harris Perkins. I & A - \$110,000.00 Petitioner requests Court determination that Decedent's interest in real property pass to her pursuant to Decedent's will. Opposition to Petitioner to Determine Succession to Real Property and Will Contest of Purported Will, Petition for Breach of Contract; Petition for Specific Performance of Contract; Petition for Damages for Unjust Enrichment; Petition for Declaratory Relief filed by Andre Perkins on 9/28/16. Objector believes the will to be a forgery. It should be noted that LOIS HARRIS PERKINS has failed to submit the original will to the clerk of the court as required by Probate Code §8200. Furthermore, in 2009 the decedent promised to transfer the 1643 Fifth Street property to Objector and his brothers in exchange for work Objector did at that house and on his father's residence. Objector alleges he performed under the agreement and is entitled to enforce that contract. Objections include a Will contest, breach of contract to make a will, specific performance of contract, unjust enrichment/restitution, and declaratory relief. Please see additional page	NEEDS/PROBLEMS/COMMENTS: Minute order dated 9/29/16 states Mr. Rube represents that his client does not wish to proceed any longer, and will be filing a request for dismissal. Additionally, he represents that she will no longer make the mortgage payments, but will instead walk away from the home. 1. There is no record that the original will has been deposited. Probate Code §8200. 2. Attachment 11 does not state the decedent's interest in the real property as required. 3. Need Order.
Cont. from 090816, 092916			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order X		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Amended Opposition to Petitioner to Determine Succession to Real Property and Will Contest of Purported Will, Petition for Breach of Contract; Petition for Specific Performance of Contract; Petition for Damages for Unjust Enrichment; Petition for Declaratory Relief filed by Andre Perkins on 10/25/16.

Petitioner Tammy Marie Jones Swanegan (Pro Per, daughter)
 Attorney Curtis D. Rindlisbacher (Court-appointed for Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		TAMMY SWANEGAN, daughter, is	<p>Continued from 9/8/2016. Minute Order [Judge Vogt] states examiner notes provided in open court.</p> <p>Note: Court records show Petitioner filed on 9/26/2016 the following documents:</p> <ul style="list-style-type: none"> Copy of Advanced Health Care Directive, apparently signed by proposed Conservatee and notarized on 4/15/2014. Copy of General Durable Power of Attorney, apparently signed by proposed Conservatee and notarized on 4/15/2014. Request for Dismissal of the instant petition, which on 9/27/2016 was not entered as requested for the following reasons: "Dismissal is not appropriate based upon Court Investigator Report filed on 9/1/2016 and appointment of counsel for proposed Conservatee on 8/24/16. Hearing remains set on 11/3/2016." (Copy of rejection was placed in the Petitioner's runner box on 9/26/2016.)
		Petitioner.	
		~Please see Petition for details~	<p>~Please see additional page~</p>
Cont. from 090816		Court Investigator's Report was filed on 9/1/2016.	<p>Reviewed by: LEG</p> <p>Reviewed on: 10/26/16</p> <p>Updates: 10/28/16</p> <p>Recommendation:</p> <p>File 13- Jones</p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
✓	Cap. Dec.		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp	X Need Supp	
	Objections		
✓	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS, continued: The following issues from the last hearing remain:

1. ~~Need Notice of Hearing and proof of service by mail of the notice with a copy of the Petition for Appointment of Probate Conservator showing notice was mailed at least **15 days** before the hearing pursuant to Probate Code § 1822 for all of the relatives named in the Petition pursuant to Probate Code § 1822(b)(2).—Filed 10/27/2016.~~
2. *Proof of Personal Service* of the *Citation* filed 8/29/2016 does not show notice was personally served to the proposed Conservatee at Item 3(a), as the proof does not indicate a date and time of service; additionally, no date is indicated at the signature of the person serving the notice (Bernardo Yniguez.) Need proof of personal service of the *Citation* at least **15 days** before the hearing pursuant to Probate Code § 1824. *Declaration* filed 10/27/2016 states the citation filed 8/29/2016 did not list the service date of 8/30/2016, which is unsatisfactory as the declarant is indicating service was made to the proposed Conservatee after the proof of service was filed.
3. ~~Court may require Petitioner to provide additional information in Item 5(c) of the Petition filed 8/8/2016, as supporting facts for the Court to determine that the proposed conservatee is unable to properly provide for her personal needs for physical health, food, clothing, or shelter.—Filed 10/27/2016.~~
4. ~~Need Confidential Supplemental Information Form (Judicial Council form GC-312) to be filed with the Court pursuant to Probate Code § 1821.—Filed 10/27/2016.~~
5. ~~Item 1(k) of the Petition filed 8/8/2016 requests orders relating to dementia placement or treatment. Since dementia powers are requested, need the mandatory Attachment Requesting Special Orders Regarding Dementia (Judicial Council form GC-313) to be filed with the Court in support of the Petitioner's request.—Filed 10/27/2016.~~
6. Petition is **not marked** at Item 1(g) for the Court to consider granting medical consent powers. Additionally, Petition is **not marked** at Item 9(a) indicating that there is no form of medical treatment for which the proposed Conservatee has the capacity to give an informed consent. However, Item 9(b) is marked indicating that a *Medical Capacity Declaration* in support of Petitioner's request is filed with the *Petition*. Need confirmation regarding whether Petitioner requests **medical consent** powers in addition to the separate and distinct dementia powers.
7. Since dementia powers are requested, need the mandatory *Dementia Attachment to Capacity Declaration - Conservatorship* (mandatory-use Judicial Council form GC-335A) to be filed as part of the *Capacity Declaration* completed by the physician. *Dementia Attachment to Capacity Declaration* filed 10/27/2016 shows the Petitioner completed the form rather than the doctor.

Note: Bond is required for conservatorship estates pursuant to Probate Code § 2320 and CA Rule of Court 7.207, except for the value of any real property of the proposed conservatee, which cannot be sold without Court approval. Petitioner indicates that real property valued at **\$203,000.00** is the only asset of the proposed Conservatee. Court may waive bond if Petitioner's representation is accurate regarding the estate assets consisting of only real property and no personal property, under Probate Code § 2321 which provides the Court may not waive bond without a good cause determination that Conservatee will not suffer harm as a result of the waiver.

Attorney: Gregory J. Roberts (for Kathleen Sowell)

Attorney: Deborah Boyette (Court-appointed for proposed conservatee)

Petition for Appointment of Probate Conservator

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:	
		KATHLEEN SOWELL, sister, is petitioner and requests appointment as conservator of the person and estate with medical consent powers and bond of \$51,000.00.	Continued from 9/22/2016. Continued for investigation to be completed.	
Cont. from 092216				
	Aff.Sub.Wit.	Please see petition for details.	Court Investigator to provide: <ul style="list-style-type: none"> • Advisement of rights • Investigation report <p>See additional page.</p>	
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			w/
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
	CI Report			x
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
			Reviewed by: SEF	
			Reviewed on: 10/26/2016	
			Updates:	
			Recommendation:	
			File 14- Partridge	

NEEDS/PROBLEMS/COMMENTS, *continued*:

Note: If the petition is granted, status hearings will be set as follows:

- **Tuesday, December 6, 2016** at 9:00 am in Department 303, for the filing of the bond.
- **Tuesday, March 7, 2017** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Tuesday, January 9, 2018** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

15 Kace Chavez (GUARD/P) Case No. 16CEPR00887

Petitioner Ellerbrock, Priscilla Isabel (Pro Per – Maternal Aunt – Petitioner)

Petition for Appointment of Guardian of the Person

Age: 4 months		<u>Request for Temporary withdrawn on</u> <u>09/01/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		<u>GENERAL HEARING 11/03/2016</u>	Minute Order of 09/01/2016 regarding the Temporary Petition: DSS has placed the child with petitioner. Petitioner requests to withdrawal temporary petition and move the general petition hearing date. Requests granted. 10/24/2016 vacated and rescheduled for 11/03/2016.
Cont. from		PRISCILLA ISABEL ELLERBROCK, Maternal Aunt, is Petitioner.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Please see petition for details	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>	
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Pers.Serv.	<input type="checkbox"/>	
<input type="checkbox"/>	Conf. Screen	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>	
<input type="checkbox"/>	Objections	<input type="checkbox"/>	
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>	
<input type="checkbox"/>	9202	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>	
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>	
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>	
<input type="checkbox"/>	Citation	<input type="checkbox"/>	
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>	
			Reviewed by: LV
			Reviewed on: 10/31/2016
			Updates:
			Recommendation:
			File 15- Chavez

Petitioner Clifford, Veronica A. (Pro per – Maternal grandmother)

Petition for Appointment of Guardian of the Person

Age: 16 years		TEMPORARY EXPIRES 11/3/2016 VERONICA CLIFFORD , maternal grandmother, is petitioner. <u>Please see petition for details</u>	NEEDS/PROBLEMS/COMMENTS: 1. Notices of Hearing filed 10/20/2016 indicates <u>mailed</u> service to the father on 09/28/2016; however, <u>personal</u> service is required per §1511. 2. Notice of Hearing filed 10/20/2016 indicates the paternal grandfather, Ronald Kears, was mailed service C/O Kay Fredrickson on 09/28/2016. Service must be directly on the individual. Service in care of another person is insufficient pursuant to CA Rules of Court 7.51(a)(1).	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			w/
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: lv Reviewed on: 10/31/2016 Updates: Recommendation: File 16- Kears				

DOD: 12/21/2014		LLAUNDA WILLINGHAM , daughter, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD	1. Petition indicates that the Decedent died leaving a Will. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1).
		No other proceedings	
Cont. from		I&A - \$65,000.00	2. Pursuant to Probate Code §13152(c) a copy of the will must be attached to the petition.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: LV

Reviewed on: 10/31/2016

Updates:

Recommendation:

File 17- Finrock

Attorney Gary G. Bagdasarian (for Petitioner Alice Colleen Bethel)

Petition for Letters of Administration; Authorization to Administer under IAEA

DOD: 7/31/2016	ALICE COLLEEN BETHEL , daughter, is		NEEDS/PROBLEMS/COMMENTS:
	Petitioner and requests appointment as		
Cont. from 102016	Administrator with full IAEA without bond.		Continued from 10/20/2016. Minute Order [Judge Hamilton] states matter is continued due to the issues raised in the examiner notes.
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified	Full IAEA	— OK	Note: If <i>Petition</i> is granted, Court will set status hearings as follows:
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC	Decedent died intestate.		<ul style="list-style-type: none"> Monday, April 3, 2017, at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Monday, January 8, 2018 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg	N/A	Residence — Fresno	Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance is required.
<input type="checkbox"/> Aff.Mail		Publication — Business Journal	
<input type="checkbox"/> Aff.Pub.			Reviewed by: LEG Reviewed on: 10/26/16 Updates: Recommendation: File 18- Bethel
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	Estimated value of the Estate:		
<input type="checkbox"/> Conf. Screen	Personal property	- \$190,000.00	
<input type="checkbox"/> Letters	Annual income PP	- \$ 1,000.00	
<input checked="" type="checkbox"/> Duties/Supp	Total	- \$191,000.00	
<input type="checkbox"/> Objections	Probate Referee: Rick Smith		
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Dorothy DOD: Not stated ~10/8/2013		<p>LESLIE AVILA, NANCY CLAYTON, and KEITH BOHANNON, great-nieces and great-nephew and Co-Trustees, are Petitioners.</p> <p>Petitioners state:</p> <ul style="list-style-type: none"> On 5/30/2006 LOYE L. BOHANNON and DOROTHY D. BOHANNON executed as Trustors the BOHANNON TRUST for their benefit during their joint lifetimes, then for the benefit of the surviving spouse between the two, and then finally for the benefit of the surviving spouse's beneficiaries (copy at Exhibit A); Trutor DOROTHY D. BOHANNON died first, and per Trust terms, the Trust estate was divided and the SURVIVOR'S TRUST and EXEMPTION TRUST were created on 10/8/2013; LOYE L. BOHANNON was the sole trustee and beneficiary of the SURVIVOR'S TRUST and EXEMPTION TRUST until he died on 9/12/2014; The Successor Co-Trustees of the SURVIVOR'S TRUST and EXEMPTION TRUST are LOYE L. BOHANNON'S stepchildren, DOUGLAS S. CLARK and DIANE L. FIDYK; Under Trust terms, the balance of the SURVIVOR'S TRUST was to be distributed to the husband's Beneficiaries; Under Trust terms, the husband's Beneficiaries means the Petitioners, as Co-Trustees for the college education of the issue of Petitioners; The subject of the instant petition is the EDUCATION TRUST, which on 12/17/2015 was created and funded with an initial distribution of \$460,000.00 in cash from SURVIVOR'S TRUST, established for the Petitioner's issue; Petitioners are the Co-Trustees of the EDUCATION TRUST and its corpus is currently located in California; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. <i>Petition</i> is inconsistent as to the appointment for the Trust's minor beneficiaries of a guardian ad litem (that must be represented by an attorney), which appointment is required for consent of the minor beneficiaries pursuant to Probate Code §§ 1003 and 15403 and this Court's policy. <i>Petition</i> states all beneficiaries have given their written consent to the proposed modification, or where the beneficiary is a minor, a parent of the minor has applied or will be applying to this Court for appointment as a guardian ad item in order to exercise consent on the minor's behalf. <i>Petition</i> later states that the underage and unborn beneficiaries do not have the requisite capacity to consent to modification of the trust on their own, and that the Petitioners, as the parents of the living and unborn minor beneficiaries, pray this Court determine that the interests of any minor, unborn, or otherwise unascertained beneficiaries are adequately represented by the respective parent without appointment of a guardian ad litem. Need clarification, and appointment of guardian ad litem(s) for all minor beneficiaries requiring a guardian ad litem in order to consent to modification.</p> <p align="center">~Please see additional page~</p>	
Loye DOD: 9/12/2014				
Cont. from				
	Aff.Sub.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/S			
	Objection			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Post			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: LEG
Reviewed on: 10/27/16
Updates:
Recommendation:
File 19- Bohannon

Petitioners state, continued:

- Petitioners have made no distributions from the **[EDUCATION TRUST]** as of the date of this Petition;
- The Education Trust is currently being administered for the benefit of Petitioners' issue, which is a class comprised of three adult children, one of whom is estranged from his family and whom Petitioners cannot locate or directly contact; five minor children; and one minor grandchild;
- There have been no modifications, amendments, or revocations to the Trust Agreement as of this date, and the document attached as Exhibit A is the currently operative trust instrument;
- The principal place of administration of the trust is where the trust's day-to-day activity is carried on by the trustee (Probate Code § 17002(a).) Petitioners here distinguish between venue for the **SURVIVOR'S TRUST** and **EXEMPTION TRUST** and its day-to-day administration conducted in Camarillo, California, in the County of Ventura, and the **EDUCATION TRUST**, which is the subject of this Petition;
- Jurisdiction and Venue: Petitioners as Co-Trustees of the Education Trust reside in three different locations: **LESLIE AVILA** in Fresno County, California; **NANCY CLAYTON** in Kern County, California; and **KEITH BOHANNON** in Josephine County, Oregon. If the principal place of trust administration cannot be determined, it is the trustee's residence or place of business. (Probate Code § 17002(b)(1).) Further, if the trust has more than one trustee, venue is proper at the place of residence or usual place of business of any of them, except as agreed upon by them. (Cal. Prob. Cd. § 17002(b)(2).) Petitioner and Co-Trustee **LESLIE AVILA** resides in Fresno County, California, and the Co-Trustees agree and consent to the jurisdiction of this Court and to Fresno County as the principal place of administration of the **EDUCATION TRUST** making venue in Fresno County proper under Probate Code § 17002(b)(2).
- The Trust requires the entirety of the balance of the **SURVIVOR'S TRUST** to be held in trust for the college education of the issue of the Petitioners; Petitioners, as Trustees, are directed to pay for tuition, books, and class fees for the college education of each beneficiary, with the total amount to be Trustees of the **SURVIVOR'S TRUST** have administered such trust and had the discretion to pay surviving spouse's debts and last illness and funeral expenses first;
- As of 6/26/2015, the **SURVIVOR'S TRUST** had ~\$507,807.88 in assets. The sum of \$460,000.00 was distributed to Petitioners on 12/17/2015; an additional unknown sum is being held by the Trustees of the **SURVIVOR'S TRUST** in reserve for closing expenses;
- The issue of the Petitioners now living, along with their relationships and ages, are as follows:
 - Petitioner Leslie Avila: Evangeline Avila (Child, 7); Benjamin Avila (Child, 5); Penelope Avila (Child, 2);
 - Petitioner Keith Bohannon: Branden Bohannon (Child, 27); Grant Bohannon (Child, 10); Rylan Bohannon (Child, 6);
 - Petitioner Nancy Clayton: Laura Clayton (Child, 38); Tommy Santiago (Grandchild, 10); Jennifer Clayton (Child, 35).
- Trustee Provisions. Trust terms provide that each Co-Trustee has the authority to nominate in writing his or her own successor co-trustee. If no nomination is made, the trustee of each Petitioner's living trust or personal representative of his or her estate shall be the successor co-trustee. In addition, any action on behalf of the trust must be consented to by at least two of the three Petitioners as Co-Trustees.

~Please see additional page~

Petitioners state, continued:

- Under Probate Code § 15403, if all beneficiaries of an irrevocable trust consent, they may compel modification of an otherwise irrevocable trust on petition to the Court. Pursuant to the terms of the Trust, the beneficiaries are the issue of the Petitioners, comprised of minor children and one adult child, whom the Petitioners are unable to locate or contact. This class also remains open to the future unborn children of both the Petitioners and the class members themselves;
- As adults with capacity to consent, **LAURA CLAYTON** and **JENNIFER CLAYTON** have consented to the modifications (*consents attached as EXHIBIT B*);
- **Petitioners request regarding beneficiary consent:**
 - The remaining underage beneficiaries, as well as the unborn beneficiaries, do not have the requisite capacity to consent to modification of the trust on their own. Therefore, Petitioners, as the parents of the underage beneficiaries —both living and unborn — hereby pray for this court to determine that, with respect to this petition, the interests of any minor, unborn, and/or otherwise unascertained beneficiaries are adequately represented by the respective Petitioner parent without appointment of a guardian ad litem;
 - With respect to **TOMMY SANTIAGO**, a minor beneficiary who is a grandchild of Petitioner **NANCY CLAYTON**, Petitioners also pray for this court to determine that his mother, **LAURA CLAYTON** may adequately represent his interests without appointment of a guardian ad litem;
 - With respect to **BRANDEN BOHANNON**, an adult child of **KEITH BOHANNON** and therefore a beneficiary of the Education Trust, Petitioners pray for the Court to dispense with notice to him and waive his consent as a requirement for granting this petition, as he is estranged from his family and Petitioners have no contact information or knowledge of his whereabouts. Exhibit C attached to this petition is a declaration of Petitioner **KEITH BOHANNON** in support of this request. Declaration of Keith Bohannon states his eldest child, **BRANDEN BOHANNON**, is estranged from his family and he does not have his contact information or know his whereabouts, and they have not been in contact for over **10** years.
- Because the language in the Trust establishes the **EDUCATION TRUST** as a single pooled trust administered by three tenuously related co-trustees for the benefit of their respective children, Petitioners desire to avoid problems such as conflicts of interest, difficulty in obtaining consent to actions, and distribution of the trust assets among the beneficiaries in an inequitable manner. For example, Petitioners live in different geographical areas — one in Kern County, one in Fresno County, and one in Josephine County, Oregon — which would make trust administration and accounting unnecessarily cumbersome;
- Furthermore, Petitioners have two to three children each — one even has a grandchild — so the timing and amount of funding distributions needed for each family would vary widely, which will lead to conflicts of interest between the Petitioners as older issue become ready for college education distributions sooner than younger ones. It is anticipated this will lead to potential unequal, or at least inequitable, distribution of the trust assets since distributions could be made by a two-thirds vote of the Co-Trustees;
- Lastly, Petitioners desire the ability to allocate funds for their own children's college education without having to obtain consent from at least one of the other two Co-Trustees;
- Therefore, Petitioners wish to modify the Trust by separating it into three independent trusts — one for each Petitioner as sole trustee for the benefit of such Petitioner's issue. Petitioners believe this would be the best solution in the interests of fair, economical, and efficient administration. Avoiding conflicts of interest and facilitating productive trust administration is in the best interests of the beneficiaries of the Trust.

~Please see additional page~

Petitioners state, continued:

- As such, Petitioners take the position that division of the trust property into three separate trusts—one to be administered by each of them — would alleviate or dispel the difficulties in administration. For these reasons, Petitioners also allege that modification of the trust in this manner is permissible pursuant to California Probate Code §15412, which allows division of a trust into two or more separate trusts when doing so would not “defeat or substantially impair the accomplishment of the trust purposes or the interests of the beneficiaries.” Here, division of the educational trust into separate trusts would actually better facilitate and improve the accomplishment of the trust's purposes by allowing each co-trustee to focus on just administering a trust for his or her own family. At the same time, the interests of the beneficiaries are protected rather than impaired, since they would only have to share trust assets with siblings and not the heirs of the other co-trustees.

Petitioners request that Paragraph C of Article IV of Exhibit A to the Trust be deleted in its entirety, and replaced by the following Paragraph C:

“C. Husband 's Beneficiaries: The term the “Husband's Beneficiaries” shall mean the Trustee shall divide such trust estate equally into three separate sub-trusts for the college education of the issue of **LESLIE AVILA (née HUTCHINS)**, **NANCY CLAYTON**, and **KEITH BOHANNON**, respectively. **LESLIE**, **NANCY**, and **KEITH** shall each be the sole trustee of their own sub-trust for the benefit of their issue only, and may take action only within his or her own trust, and may nominate his or her successor in writing. Successor trustees may nominate successors in the same manner. If there is a failure to nominate a successor, the trustee of the last successor's living trust, or other personal representative if none, shall be such trustee. As trustee of his or her own respective sub-trust, **LESLIE**, **NANCY**, and **KEITH** shall pay for the tuition, books, and class fees for the college education of his or her issue. The amount distributed to any one beneficiary in a year, calendar or scholastic, however, cannot exceed the equivalent amount that would be incurred in a school in the University of California education system. Each sub-trust created under this section shall terminate upon the earlier of (a) the depletion of trust assets held therein; or (b) the expiration of the Rule Against Perpetuities period defined in Paragraph A of Article VI of the main body of this trust. Upon termination pursuant to the latter, any remaining trust property of each sub-trust shall be distributed to the beneficiaries of that sub-trust, which are the issue of **LESLIE**, **NANCY**, and **KEITH**, by right of representation.”

- Modification of the Trust in this manner is permissible under California Probate Code §15412, which allows division of a trust into or more separate trusts for good cause shown and a determination that dividing the trust will not defeat or substantially impair the accomplishment of the trust purposes or the interests of the beneficiaries;
- Good cause for this division exists for the reasons explained above; i.e. avoidance of conflicts of interest, difficulties in obtaining trustee consent to act, and unfair distribution of the trust property. Additionally, division of the Trust in this manner is likely to substantially improve the accomplishment of the Trust's purposes and protect the interests of the beneficiaries because each trustee would only be responsible for administering trust assets for his or her own issue and would be unable to interfere with the distribution of assets to the other beneficiaries for his or her own family's gain. Additionally, each beneficiary would only have to share trust assets with siblings, instead of with the entire class of issue as originally outlined in the Trust.

~Please see additional page~

Dept. 303, 9:00 a.m. Thursday, November 3, 2016

Petitioners pray for an Order:

1. Dispensing with notice **BRANDEN BOHANNON** and waiver of his consent due to his unknown whereabouts, estranged relationship with his family and Petitioners, and their inability to contact him;
2. Determining that with respect to this *Petition* the interests of any unborn or unascertained beneficiaries are adequately represented by their respective parent without appointment of a guardian ad litem; and
3. Approving the modification of Paragraph C of Article IV of Exhibit A of the **BOHANNON TRUST** as set forth in the *Petition* governing the creation and administration of the **BOHANNON EDUCATIONAL TRUST** as three separate trusts.

NEEDS/PROBLEMS/COMMENTS, continued:

2. Petitioners request that the Court dispense with notice to current Trust beneficiary **BRANDEN BOHANNON**, and request a waiver of his consent due to his unknown whereabouts, estranged relationship with his family and the Petitioners, and their inability to contact him, without providing evidence demonstrating any due diligence on the part of Petitioners regarding efforts to contact **BRANDEN BOHANNON** to provide him with notice of the *Petition* and to obtain his consent to the modification.

Petition to Determine Succession to Real Property

DOD: 8/13/14	LEO AGUIRRE, JR. is petitioner.		NEEDS/PROBLEMS/COMMENTS: Need Amended Petition based on but not limited to: 1. It appears that the petitioner is not the sole heir of the decedent. Decedent's death certificate lists a daughter, Susie Garcia. In addition, an attachment to the Notice of Hearing lists other persons, identified as family members. Pursuant to intestate succession, all children of the decedent and any children of a deceased child are entitled to a share of the decedent's property. Probate Code §13150 provides that all who succeed to the property must also be petitioners. Therefore need amended petition with all persons entitled to a share of the estate as petitioners. 2. Need attachment 11 indicating the decedent's interest in the property. 3. #13 does not state the specific property interest claimed. 4. Need attachment 14 listing the names, ages and relationship, and address of all persons entitled to notice. 5. Need order
	40 days since DOD.		
	No other proceedings.		
Cont. from	Decedent died intestate.		
<input type="checkbox"/> Aff.Sub.Wit.	I & A - \$85,150.00		
<input checked="" type="checkbox"/> Verified	Petitioner requests ???		
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input type="checkbox"/> Order	X		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Reviewed by: KT
Reviewed on: 10/27/16
Updates:
Recommendation:
File 20- Aguirre

Petition for Probate of Will and for letters Testamentary; Authorization to Administer Under the IAEA

DOD: 3/16/15		LESLIE D. REVIS , named executor without bond, is petitioner. Full IAEA Will dated 10/25/2011 Residence: Fresno Publication: Fresno Business Journal	NEEDS/PROBLEMS/COMMENTS: Note: If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, April 26, 2017 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, February 7, 2018 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/O		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Estimated value of the Estate: Personal property - \$500,000.00 Annual income - \$ 10,000.00 Total - \$510,000.00 Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT Reviewed on: 10/27/16 Updates: Recommendation: SUBMITTED File 21- Revis

Petition to Determine Succession to Real Property

DOD: 6/30/16			RANDY J. FORISTIERE, CHERI O'HALLORAN, and MICHAEL A. FORISTIERE , adult children of the decedent, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
			40 days since DOD	
S/P	Aff.Sub.Wit.			
✓	Verified		No other proceedings	
✓	Inventory			
	PTC		I&A: \$145,000.00 (real property located at 4855 E. Turner in Fresno)	
	Not.Cred.			
N/A	Notice of Hrg		Will dated 3/12/12 devises the estate to Petitioners in equal shares.	
	Aff.Mail			
	Aff.Pub.		Petitioners request Court determination that the decedent's real property passes to them in undivided one-third interests each pursuant to the decedent's will.	
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: skc
				Reviewed on: 10/27/16
				Updates:
				Recommendation: SUBMITTED
				File 22- Foristiere

Petition for Appointment of Probate Conservator

		THERE IS NO TEMPORARY. Temporary was withdrawn.	NEEDS/PROBLEMS/COMMENTS:
		LOUISA POLIN MALDONADO, Aunt, is petitioner	Court Investigator Advised Rights on 9/30/16.
Cont. from		Please see petition for details.	<ol style="list-style-type: none"> 1. Need proof of service of the Notice of Hearing along with a copy of the petition on: <ol style="list-style-type: none"> a. Sabrina Polin (daughter) 2. Need Capacity Declaration re Medical Consent and Dementia Powers. 3. Need Conservatorship Video Viewing Receipt.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	X	
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation	W/	
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 10/27/16
			Updates:
			Recommendation:
			File 23- Polin

Petition for Appointment of Temporary Conservator of the Estate

		TEMPORARY EXPIRES 11/3/16	NEEDS/PROBLEMS/COMMENTS:
		GENERAL HEARING 11/29/16	
		PUBLIC GUARDIAN is petitioner and requests appointment as Conservator of the Estate.	1. Need proof of personal service of the Notice of Hearing on: a. Donna Edge (proposed conservatee) 2. Petition does not state the estimated value of the estate.
Cont. from		See petition for details.	
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Verified	<input type="checkbox"/>	
<input type="checkbox"/>	Inventory	<input type="checkbox"/>	
<input type="checkbox"/>	PTC	<input type="checkbox"/>	
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Notice of Hrg	<input type="checkbox"/>	
<input type="checkbox"/>	Aff.Mail	<input type="checkbox"/>	
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>	
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>	
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Conf. Screen	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>	
<input type="checkbox"/>	Duties/Supp	<input type="checkbox"/>	
<input type="checkbox"/>	Objections	<input type="checkbox"/>	
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>	
<input type="checkbox"/>	9202	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>	
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>	
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>	
<input type="checkbox"/>	UCCJEA	<input type="checkbox"/>	
<input type="checkbox"/>	Citation	<input type="checkbox"/>	
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>	
			Reviewed by: KT
			Reviewed on: 10/28/16
			Updates:
			Recommendation:
			File 24- Edge

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition at least five court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paul Anderson (Father) - Jennifer Blagrove (Mother)
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	X		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 10/27/16
			Updates:
			Recommendation:
			File 25- Anderson